



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VIII

999 18th STREET—SUITE 500  
DENVER, COLORADO 80202-2405

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Ref: 8HWM-SR

Ms. Arlene Loble  
City Manager  
Park City Municipal Corporation  
445 Marsac Avenue  
Park City, Utah 84060

Dear Arlene:

EPA has completed its review of your draft ordinance addressing concerns raised in our recent study of the Prospector Square area. We have identified a couple of areas in the ordinance which we believe need strengthening. Our specific suggestions are as follows.

First, the definition of mine tailings in Section 3 can be simplified greatly by focusing on lead as the metal constituent of concern. We believe that a lead level of 1000 parts per million (ppm) should be the level at which action is initiated to eliminate exposure pathways to tailings. We believe that because of the chemical nature of mine tailings in the area, lead is a good indicator that other metals of concern may also be present. Thus, an appropriate action level for lead (1000 ppm) should guarantee that tailings with high levels of other toxic metals will also be identified for remediation. Further, the analytical costs associated with tailings characterization can be kept more reasonable if fewer sample parameters are required.

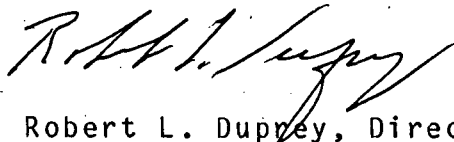
Second, the same approach should be followed in specifying the acceptable levels of metals in approved topsoil. For approved topsoil, we recommend that a lead level of 200 ppm be used. With this as the acceptable level of lead, we can expect correspondingly protective levels of the other metals of concern (arsenic, cadmium, chromium, etc.).

Third, sample results used to determine acceptable levels of lead in topsoil as well as action levels of lead in tailings must be reported in dry weight. Any other method is not acceptable to EPA.

Last, EPA believes that compliance with the ordinance needs to be a non-discretionary responsibility of property owners within the Prospector Square development. Further, we recommend that a specific timeframe be established (i.e. one year from enactment of the ordinance) for all property owners to obtain an inspection of their property. Then, there should be a second timeframe established (i.e. six months) for completion of any work needed to come into compliance with the ordinance.

EPA believes that, with the inclusion of the above considerations, the proposed Park City ordinance will provide a satisfactory mechanism to eliminate EPA's concerns at the site. We stand ready to work with you and your staff to achieve this goal.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert L. Duprey", with a stylized flourish at the end.

Robert L. Duprey, Director  
Hazardous Waste Management Division

cc: B. Bradford, UBSHW